

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/776,037 Confirmation No.: 1520  
Applicant : Paul G. Yock, et al.  
Filing Date : February 9, 2004  
Title : METHODS AND KITS FOR LOCALLY ADMINISTERING AN  
ACTIVE AGENT TO AN INTERSTITIAL SPACE OF A HOST  
Group Art Unit : 1633  
Examiner : Marvich, Maria  
Docket No. : 13854.4004  
Customer No. : 34313

Commissioner for Patents  
Mail Stop Reissue  
P.O. Box 1450  
Alexandria, VA 22313-1450

**STATEMENT OF STATUS / SUPPORT FOR CHANGES TO CLAIMS**  
**(AMENDMENT DATED MARCH 16, 2006)**  
**UNDER 37 C.F.R. § 1.173(c)**

Dear Sir/Madam:

In connection with the Amendment filed herewith relating to the above-captioned reissue application, the following is a statement of status of all patent claims and of all added claims as of the date of the present Amendment, and an explanation of the support in the disclosure of the patent for the changes made to the claims.

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CERTIFICATE OF MAILING  
(37 C.F.R. §1.8)

I hereby certify, pursuant to 37 CFR §1.8, that I have reasonable basis to expect that that this paper or fee (along with any referred to as being attached or enclosed) would be mailed or transmitted on or before the date indicated with the United States Postal Service with sufficient postage as first class mail on the date shown below in an envelope addressed to Mail Stop Reissue, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

March 16, 2006  
Date of Deposit

  
Valerie Cloyd

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### **Status of Claims**

As of the date of the Amendment submitted herewith, the status of the claims is as follows:

Claims 1 through 100 are pending. Claims 101-104 are added by the Amendment submitted herewith.

### **Support for Changes Made to Claims**

Of the pending and added claims, the following changes have been made by the Amendment submitted herewith:

Claims 1, 8, 15, 37, 44, 51, 56, 67, 78, and 90 have been amended.

Claims 101-104 have been added.

The support in the disclosure of the patent for each of the above changes is set forth in the table below.

<b><u>Amended / New Claim</u></b>	<b><u>Support in Patent Disclosure</u></b>
1. (Amended) A method of locally administrating an active agent to a host, said method comprising: retroinfusing said agent into a vascular vessel of said host under conditions sufficient <u>for the agent or a fluid delivery vehicle thereof</u> to produce a disruption in said vessel and for said agent to enter an interstitial space of said host through said disruption so that said agent is locally administered to said host.	Col. 8, lines 49-62 describes use of a fluid delivery vehicle.

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<b><u>Amended / New Claim</u></b>	<b><u>Support in Patent Disclosure</u></b>
<p>8. (Amended) A method of locally administering an active agent to a host, said method comprising:  retroinfusing said agent into a vein of said host under conditions sufficient <u>for the agent or a fluid delivery vehicle thereof</u> to produce a disruption in said vein and for said agent to enter an interstitial space of said host through said disruption so that said agent is locally administered to said host.</p>	<p>Col. 8, lines 49-62 describes use of a fluid delivery vehicle.</p>
<p>15. (Amended) A method of locally administering an active agent to a host, said method comprising:  retroinfusing said agent into a vein of said host with a catheter and at a pressure sufficient <u>for the agent or a fluid delivery vehicle thereof</u> to produce a disruption in said vein such that said agent enters an interstitial space proximal to the vein through said disruption;  whereby said agent is locally administered to said host.</p>	<p>Col. 8, lines 49-62 describes use of a fluid delivery vehicle.</p>
<p>37. (Amended) A method of locally administering an active agent to a host, said method comprising:  retroinfusing a fluid into a vascular vessel of said host under conditions sufficient <u>for the fluid</u> to produce a disruption in said vessel and infusing said agent into an interstitial space of said host through said disruption and locally administering said agent to said host through said disruption.</p>	<p>Col. 8, lines 49-62 describes use of a fluid delivery vehicle.</p>

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<b><u>Amended / New Claim</u></b>	<b><u>Support in Patent Disclosure</u></b>
<p>44. (Amended) A method of locally administering an active agent to a host, said method comprising:  retroinfusing a fluid into a vein of said host under conditions sufficient <u>for the fluid</u> to produce a disruption in said vein and infusing said agent into an interstitial space of said host through said disruption so that said agent is locally administered to said host.</p>	<p>Col. 8, lines 49-62 describes use of a fluid delivery vehicle.</p>
<p>51. (Amended) A method of locally administering an active agent to a host, said method comprising:  retroinfusing a fluid into a vein of said host with a catheter and at a pressure sufficient <u>for the fluid</u> to produce a disruption in said vein and infusing said agent into an interstitial space proximal to the vein through said disruption;  whereby said agent is locally administered to said host.</p>	<p>Col. 8, lines 49-62 describes use of a fluid delivery vehicle.</p>

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<u>Amended / New Claim</u>	<u>Support in Patent Disclosure</u>
<p>56. (Amended) A method of locally administering an active agent to a host, said method comprising:  retroinfusing said agent into a vascular vessel of said host under conditions sufficient <u>for the agent or a fluid delivery vehicle thereof</u> to produce at least a mechanical stress on said vessel, which stress facilitates the transport of said agent through the wall of said vessel so that said agent is locally administered to said host, <u>wherein said method further comprises administration of energy to said vessel.</u></p>	<p>Col. 8, lines 49-62 describes use of a fluid delivery vehicle.</p> <p>Col. 6, lines 1-47 describes administration of energy.</p>
<p>67. (Amended) A method of locally administering an active agent to a host, said method comprising:  retroinfusing said agent into a vascular vessel of said host under conditions sufficient <u>for the agent or a fluid delivery vehicle thereof</u> to at least distend said vessel, which distention facilitates the transport of said agent through the wall of said vessel so that said agent is locally administered to said host, <u>wherein said method further comprises administration of energy to said vessel.</u></p>	<p>Col. 8, lines 49-62 describes use of a fluid delivery vehicle.</p> <p>Col. 6, lines 1-47 describes administration of energy.</p>

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<b><u>Amended / New Claim</u></b>	<b><u>Support in Patent Disclosure</u></b>
<p>78. (Amended) A method of locally administering an active agent to a host, said method comprising:  retroinfusing a fluid into a vascular vessel of said host under conditions sufficient <u>for the agent or a fluid delivery vehicle thereof</u> to produce a mechanical stress in said vessel, which stress facilitates the transport of said agent through a wall of said vessel so that said agent is locally administered to said host,  <u>wherein said method further comprises administration of energy to said vessel.</u></p>	<p>Col. 8, lines 49-62 describes use of a fluid delivery vehicle.</p> <p>Col. 6, lines 1-47 describes administration of energy.</p>
<p>90. (Amended) A method of locally administering an active agent to a host, said method comprising:  retroinfusing a fluid into a vascular vessel of said host under conditions sufficient <u>for the agent or a fluid delivery vehicle thereof</u> to at least distend said vessel, which distention facilitates the transport of said agent through the wall of said vessel so that said agent is locally administered to said host  <u>wherein said method further comprises administration of energy to said vessel.</u></p>	<p>Col. 8, lines 49-62 describes use of a fluid delivery vehicle.</p> <p>Col. 6, lines 1-47 describes administration of energy.</p>
<p>101. (New) The method according to claim 56, wherein said energy administered is selected from the group consisting of ultrasound, heat, electroporation and radio frequency energy.</p>	<p>Col. 6, lines 1-47 describes administration of the recited forms of energy.</p>

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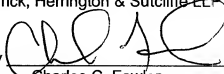
<u>Amended / New Claim</u>	<u>Support in Patent Disclosure</u>
102. (New) The method according to claim 67, wherein said energy administered is selected from the group consisting of ultrasound, heat, electroporation and radio frequency energy.	Col. 6, lines 1-47 describes administration of the recited forms of energy.
103. (New) The method according to claim 78, wherein said energy administered is selected from the group consisting of ultrasound, heat, electroporation and radio frequency energy.	Col. 6, lines 1-47 describes administration of the recited forms of energy.
104. (New) The method according to claim 90, wherein said energy administered is selected from the group consisting of ultrasound, heat, electroporation and radio frequency energy.	Col. 6, lines 1-47 describes administration of the recited forms of energy.

Respectfully submitted,

Orrick, Herrington & Sutcliffe LLP

Dated: March 16, 2006

By



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